

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>NATHANIEL LIVINGSTON, JR.</b>	:	Case No. <u>C-1-02-102</u>
	:	
Plaintiff,	:	<b>(Judge Susan Dlott)</b>
	:	<b>(Magistrate Judge Hogan)</b>
vs.	:	
	:	
<b>CHARLES JOHN LUKEN, et al.</b>	:	
	:	
Defendants.	:	

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**NOTICE OF DISMISSAL**  
(Porter Eubanks Only)

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Pursuant to Federal Civil Rule 41(A), Plaintiff Nathaniel Livingston, Jr., by and through Counsel Kenneth L. Lawson, now comes and gives notice that Defendant Cincinnati Police Officer Porter Eubanks is voluntarily dismissed without prejudice, in both his individual and official capacities. Defendant Eubanks is the only Defendant being dismissed through this notice. All other Defendants remain parties to the lawsuit.

Respectfully submitted,

/s/Kenneth L. Lawson  
KENNETH L. LAWSON  
Ohio Supreme Court No. 0042468  
Lawson & Associates, L.P.A.  
***Attorney for The Plaintiff***  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and copies will be mailed to those parties who are not served via the Court's electronic filing system. A copy has also been hand-delivered to Cincinnati Assistant Solicitor Richard Ganulin this 3rd day of May, 2006.

/s/Kenneth L. Lawson

Kenneth L. Lawson